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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING **REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional) A03P1078US01

In re Application of: Paul A. Levine	***************************************
Application No.: 10/728,500	
Filed: 12/05/2003	
For: METHOD AND APPARATUS FOR IMPROVING SPECIFICITY OF ATRIAL TACHYCARDIA DETECTION UNIPOLAR OR DUAL-BIPOLAR IMPLANTABLE CARDIAC STIMULATION SYSTEMS The owner*, PACESETTER, INC., of 100 percent interest in the instate except as provided below, the terminal part of the statutory term of any patent granted on the instant application date of the full statutory term of any patent granted on pending reference Application Number on 12/05/2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any papplication may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application are commonly owned. This agreement runs with any patent granted binding upon the grantee, its successors or assigns.	nt application hereby disclaims, ation which would extend beyond 10/728,459 , filed atent granted on said reference reference application. The owner such period that it and any patent
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent application, "as the term of any patent granted on said reference application may be shortened by any terr grant of any patent on the pending reference application," in the event that: any such patent: granted on the pexpires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jur in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to	tent granted on said reference minal disclaimer filed prior to the ending reference application: isdiction, is statutorily disclaimed is reissued, or is in any manner
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For submissions on behalf of a business/organization (e.g., corporation, partnership, university, governetc.), the undersigned is empowered to act on behalf of the business/organization.	rnment agency,
I hereby declare that all statements made herein of my own knowledge are true and that all state belief are believed to be true; and further that these statements were made with the knowledge that willful made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States statements may jeopardize the validity of the application or any patent issued thereon.	false statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 41,288	
Signature David Sarisky Typed or printed name	SEP MOOL Date
	818-493-3369
	Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.